

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

RECEIVED

FEB 22 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Revision of the Commission's Rules )  
To Ensure Compatibility with )  
Enhanced 911 Emergency )  
Calling Systems )

CC Docket No. 94-102

To: Wireless Telecommunications Bureau

**Consolidated Reply Of Advantage Cellular Systems, Inc., New Mexico RSA 6-III Partnership, South #5 RSA Limited Partnership d/b/a Brazos Cellular Communications, Ltd., and Texas RSA 7B3, Inc. d/b/a Peoples Cellular Concerning Requests for Waiver of Section 20.18(e) of the Commission's Rules**

Advantage Cellular Systems, Inc. ("Advantage"), New Mexico RSA 6-III Partnership ("New Mexico 6-III"), South #5 RSA Limited Partnership d/b/a Brazos Cellular Communications, Ltd. ("Brazos"), and Texas RSA 7B3, Inc. d/b/a Peoples Cellular ("Peoples") (collectively, "Waiver Applicants"), pursuant to § 1.3 of the Rules and regulations of the Federal Communications Commission ("FCC" or "Commission")<sup>1</sup> and the invitation of the Commission's Wireless Telecommunications Bureau in its December 24, 1998 Public Notice (DA 98-2631) captioned "Wireless Telecommunications Bureau Outlines Guidelines for Wireless E911 Rule Waivers for Handset-Based Approaches to Phase II Automatic Location Identification Requirements" ("Public Notice"), hereby respond jointly to the "Reply to Comments and Requests for Waiver of Section 20.18(e)" filed by KSI Inc. (KSI) and the "Response to E911 Comments and Waiver Requests" filed by TruePosition, Inc. ("TruePosition") (collectively, "Oppositions") in connection with the requests for waiver of

<sup>1</sup> 47 C.F.R. § 1.3 (1996).

No. of Copies rec'd 0+4  
List ABCDE

Section 20.18(e) of the Commission's Rules regarding Phase II enhanced 911 ("E911") services filed by Waiver Applicants on February 4, 1999. Waiver Applicants limit their comments herein to correcting misstatements and mischaracterizations in the Oppositions.

KSI and TruePosition argue that Waiver Applicants have added no new information to the record in this proceeding<sup>2</sup> and that viable solutions to meeting the ALI Phase II deadline currently exist.<sup>3</sup> These parties either ignore or fail to understand the substance of the waiver requests. Each Waiver Applicant provided a considerable amount of detail concerning the cost and difficulty of meeting the October 1, 2001 Phase II deadline. Waiver Applicants have not previously participated in this proceeding, and thus fail to understand how (according to KSI) they "relied upon test data and information made in previous *ex parte* presentations in the record." With respect to TruePosition's contention that factors related to handset-based solutions fail to justify a waiver in light of the existence of "viable solutions", TruePosition ignores the arguments made by Waiver Applicants that network-based solutions are infeasible and contrary to the public interest. *See also* Waiver Petition filed by Arctic Slope Telecommunications and Cellular, Inc. on February 4, 1999 in the above-referenced docket. Indeed, TruePosition completely ignores the cost figures contained in Advantage's waiver petition when it asserts that "the waivers were entirely void of any real discussion specifying the anticipated costs and cost recovery mechanisms for pure and hybrid handset-based solutions." TruePosition Opposition at pp. 17-18, n. 44. Advantage cited the cost of adopting a handset-based solution as \$3,5000,000.00, approximately \$540 per subscriber. Advantage Waiver Petition at p. 2.

---

<sup>2</sup> KSI Opposition at p. 6 ("Finally, no new information was added to the overall record in the Docket. Instead, carriers requesting waivers relied upon test data and information made in previous *ex parte* presentations in the record.")..

<sup>3</sup> TruePosition Opposition at p. 19.

KSI states that certain petitioners “evidence a misunderstanding of the capabilities of network-based location solutions. For instance, the carriers serving rural areas suggest that radio-triangulation network location systems do not make sense for their operations, believing that at least three sites are required for reliable locations.” KSI Opposition at pp. 10-11. Contrary to KSI’s speculation, Waiver Applicants are well aware of the capabilities of network-based location solutions. As a result of the variety of terminology used to describe various ALI applications, different Waiver Applicants have afforded different meaning to the term “triangulation.” For example, Advantage and New Mexico 6-III both use the term “triangulation” interchangeably with “time difference of arrival” referring generally to the technique where location is determined by measuring the difference in delay in a signal arriving from two different sources. This technique can be used with two or more towers, but three towers is generally thought to be more effective. When Advantage and New Mexico 6-III detailed the costs and difficulties in meeting the FCC’s Section 20.18 ALI standard by October 1, 2001, their cost data encompassed the use of both the “three tower” and “two tower” method.<sup>4</sup>

Although the cost data submitted by Peoples and Brazos was based solely on the three tower method, the cost of meeting the Phase II ALI deadline varies little if at all regardless of whether the three tower or two tower method is utilized. Peoples will need to add the same number of additional cell sites to its system regardless of whether it uses the three tower or two tower method. The estimated cost of meeting the Section 20.18(e) deadline will thus remain the same. With respect to Brazos, if it utilizes the two tower rather than three tower method, it will save the cost of putting up one additional cell. While the cost of compliance would in such case

---

<sup>4</sup> To illustrate the need for additional cell sites to accommodate the two tower method of triangulation, New Mexico 6-III has attached a map depicting its current coverage of its service area.

be reduced to \$1,000,000, such an expense is still enormous for a small carrier, and would translate to a cost of over \$230 per customer.

Respectfully submitted,

**Advantage Cellular Systems, Inc., New Mexico  
RSA 6-III Partnership, South #5 RSA Limited  
Partnership d/b/a Brazos Cellular  
Communications, Ltd., and Texas RSA 7B3, Inc.  
d/b/a Peoples Cellular**

By: Michael R. Bennet  
Michael R. Bennet

Bennet & Bennet, PLLC  
1019 19<sup>th</sup> Street, NW, Suite 500  
Washington, D.C. 20036  
(202) 530-9800

Their Attorneys

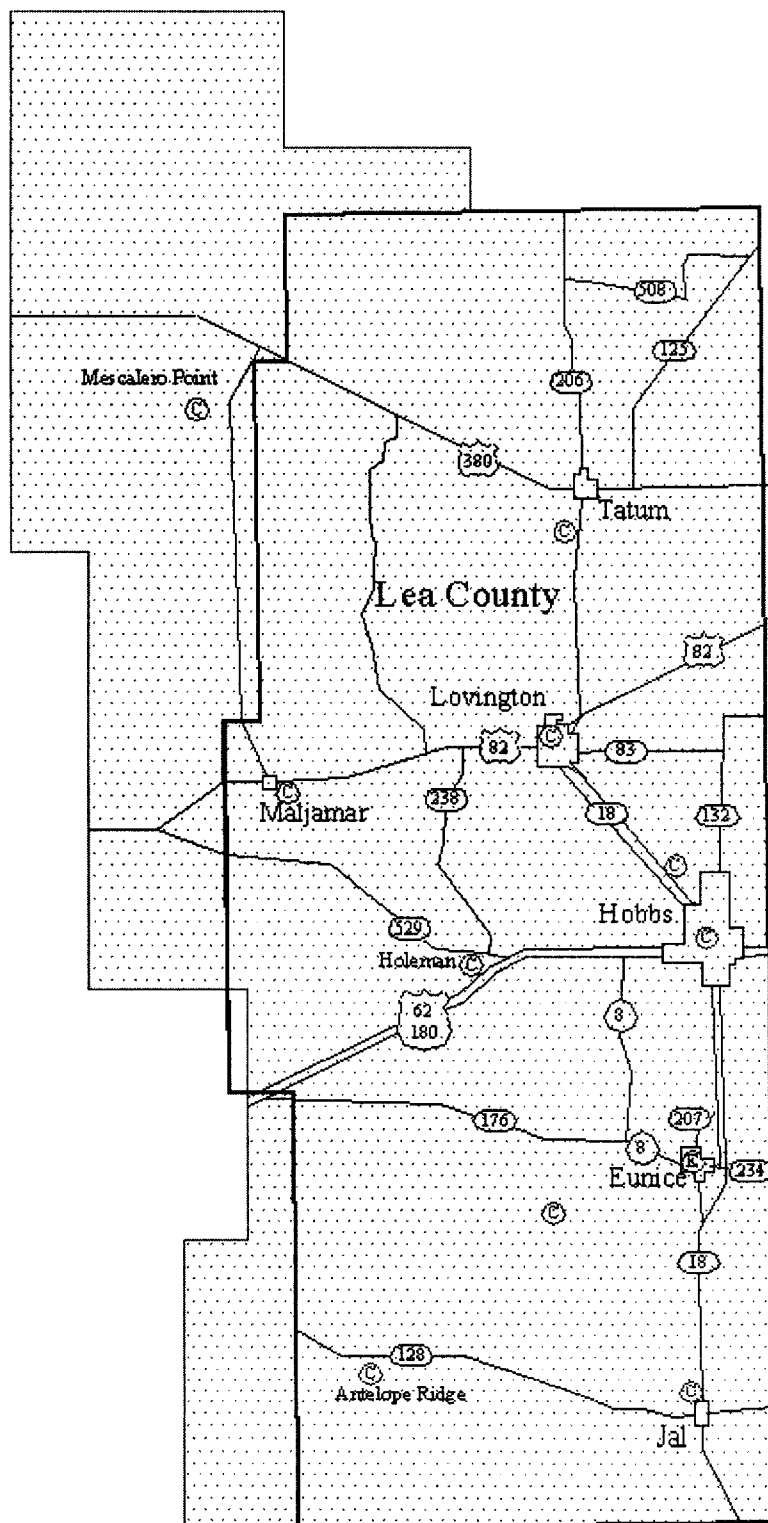
Dated: February 22, 1999

# Cell Site Locations NM RSA 6-3

February 19, 1999

- Ⓢ Cell Site
- Ⓜ Enhancer
- County Line
- RSA Boundary

Leaco Rural Telephone  
1500 North Love  
Lovington, New Mexico

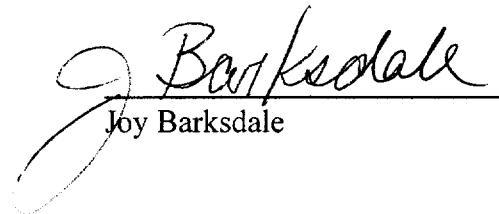


## CERTIFICATE OF SERVICE

I Joy Barksdale, herby certify on this 22nd day of February, 1999, a copy of the foregoing "Consolidated Reply Of Advantage Cellular Systems, Inc., New Mexico RSA 6-III Partnership, South #5 RSA Limited Partnership d/b/a Brazos Cellular Communications, Ltd., and Texas RSA 7B3, Inc. d/b/a Peoples Cellular Concerning Requests for Waiver of Section 20.18(e) of the Commission's Rules" was served via first class United States mail, postage prepaid to the parties listed below:

Robert B. Kelly  
Kelly A. Quinn  
Squire, Sanders & Dempsey, L.L.P.  
1201 Pennsylvania Avenue., N.W.  
Counsel to KSI, Inc.

Scott G. Bruce  
Michael Amarosa  
Truposition, Inc.  
3 Bala Plaza East  
Suite 502  
Bala Cynwyd, PA 19004

  
Joy Barksdale